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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

FLYNN, KIMBERLY D

ART UNIT

PAPER NUMBER

2153

14

DATE MAILED: 02/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/532,551

Applicant(s)

SEVANTO ET AL.

Examiner

Kimberly D Flynn

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14 is/are allowed.
- 6) ☒ Claim(s) 15-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roy (U.S. Patent No. 6,081,513 hereinafter Roy) in view of Borsato et al. (U.S. Patent No. 6,654,891 hereinafter, Borsato).

In considering claim 15, Roy discloses a method for setting up an active connection for transmitting multimedia-related information over a packet-switched data transmission network between a terminal and a network device, comprising:

defining a first protocol stack for the terminal arrangement and a second protocol stack for the network device for exchanging information between the terminal and the network device the protocol stacks including layers(see Fig. 2, MPC Protocol Stack 10-1, MMB Protocol Stack 10-2; col. 4, lines 20-41);

defining an Internet Protocol peer entity layer for the transmission of packetized data in the first and second protocol stacks (see Fig. 2, "IP" 10-1 and 10-2),

defining a multimedia messaging transport protocol peer entity layer above the Internet Protocol layer in the first and second protocol stacks (see Fig. 2, "TCP/UDP" 10-1 and 10-2; col. 4, lines 42-65),

While Roy discloses conveying a request for activating an exchange of multimedia-related information between the terminal and the network device (see Fig. 2, Multimedia Personal Computer Protocol Stack 10-1, Router Protocol Stacks 12-1 and 12-2; Fig. 5, Setup Request 15; col. 6, lines 44-59; col.8, lines 24-37), Roy does not explicitly disclose wherein a dynamically allocated address for identifying the terminal to the network device on the Internet Protocol level is included as part of the request. Nonetheless, issuing a request including such information as userid, password, and IP address, which has been dynamically assigned, is well known in the art as evidenced by Borsato.

In similar art, Borsato discloses a system for providing information between a database and at least one server wherein a first client requests an IP address from the DHCP server on the network and then issues a registration request that includes its userid, password, and dynamically assigned IP address (col. 9, lines 61-67 through col. 10, lines 1-5). It would have been obvious to a person having ordinary skill in the art to modify to system a disclosed by Roy to include the step of allowing the device to make a request that includes a dynamically assigned IP address in order to ensure that a wide range of devices, those with and without static IP addresses, are able to request information. Therefore, the claimed limitation would have been an obvious modification to the system as disclosed by Roy.

Roy further discloses conveying a response as a reply to the activation request (see Fig. 2, Multimedia Bridge Protocol Stack 10-2, Router Protocol Stacks 12-2 and 12-1; Fig. 5, Setup Response 17; col. 6, lines 44-59; col.8, lines 24-37); and

exchanging multimedia-related information between the terminal and the network device through the use of defined Internet Protocol layers as well as other lower layers in the first and second protocol service (see col. 5, lines 10-24).

In considering claim 16, Roy discloses wherein the request is generated by the network device and the response is generated by the terminal (col. 8, lines 23-35)

Allowable Subject Matter

3. Claims 1-14, are allowed.

4. The following is a statement of reasons for the indication of allowable subject matter:

Applicant's invention is drawn to a system for preparing for the transmission of multimedia-related information in a packet switched cellular radio network.

Applicant's independent claims 1, 8, and 10 each recite, inter alia, conveying a request for activating an exchange of multimedia-related information between the terminal arrangement and the network device arrangement; and dynamically allocating an address to the terminal arrangement for identifying the terminal arrangement for identifying the terminal arrangement to the network device arrangement on the Internet Protocol level in response to the activation request conveying a response including the dynamically allocated address in response to the activation request. Applicant's invention of claims 1, 8, and 10 comprise a particular combination of elements, which is neither taught nor suggested by the prior art.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D Flynn whose telephone number is 703-308-7609. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimberly D Flynn
Examiner
Art Unit 2153

KDF



KRISNA LIM
PRIMARY EXAMINER